

Remarks:

In response to the Action of 5/19/2004, applicant hereby elects the claims of Group II, claims 7-9, with traverse.

The Office indicates that the restriction is necessary because the product could be used in a materially different process, such as a process for removing Nox, halogenated waste, or a hydrotreatment process at a high or low temperature. Further, the Office contends that the inventions have acquired a separate status in the art, as shown by their different classification, and the search required for Group I is not required for Group II. Applicant respectfully points out that, contrary to the Office's assertion, a search of the relevant art relating to the methods of Group II will necessarily encompass the compositions of Group I, and thus does not constitute an undue burden on the Office. As such, the Office has not met its burden for establishing the second criteria for a proper restriction, i.e., that there is a serious burden on the examiner. Therefore, Applicant respectfully requests reconsideration and withdrawal of the restriction requirement.

Respectfully submitted,



Daniel S. Kasten, Reg. #45363
Thompson Coburn LLP
One US Bank Plaza
St. Louis, Missouri 63101
Telephone: 314-552-6305
Fax: 314-552-7305